

PUBLIC WORKS COMMITTEE
11:00 a.m., Wednesday, April 5, 2017

The regular meeting of the Public Works Committee was held at 11:00 a.m., Wednesday, April 5, 2017 in the Conference Room of City Hall, 1207 Palm Boulevard, Isle of Palms, South Carolina. Attending the meeting were Councilmembers Kinghorn and Ward, Chair Ferencz, Administrator Tucker, Public Works Director Pitts, Assistant Administrator Fragoso and City Clerk Copeland; a quorum was present to conduct business.

1. Chair Ferencz called the meeting to order and acknowledged that the press and public were duly notified of the meeting in accordance with the Freedom of Information Act.

2. Approval of Previous Meeting's Minutes

MOTION: Councilmember Kinghorn moved to approve the minutes of the regular meeting of February 1, 2017 as submitted; Councilmember Ward seconded and the motion PASSED UNANIMOUSLY.

3. **Citizens' Comments – None**

4. **Departmental Reports for March 2017 – Director Pitts**

The two (2) highlights of the month were mowing the beach access paths and servicing the Tea Room at the Methodist Church daily. Garbage was down significantly, about fifty tons (50 T.) less than March 2016; yard debris was up eleven tons (11 T.) from March of 2016. The Department had no large invoices for vehicle maintenance, and the Director again assured the Committee that he would end the year under budget on that line item. He also stated that two (2) tires would be purchased for the Caterpillar in the month of April, and they will be a large expenditure.

5. Old Business

A. Discussion of reclaiming multi-use path

Chair Ferencz stated that pictures of the path were included in meeting packets showing the overgrowth on the multi-use path on Waterway Boulevard; she reported that, between Sea Horse and 28th Avenue, the path is reduced to the width of about one (1) foot in some places. She asked if the City had a schedule for clearing it during the year because she noted that this job was not included in the landscaping RFP because Public Works gets assistance from Charleston County. She stated that she would like to see a schedule noting that the paths will be cleared once or twice a year in a given time frame between 21st Avenue and 41st Avenue; she noted that the multi-use path on Waterway Boulevard is heavily used by residents.

Councilmember Kinghorn stated that he sees significant irregularities in the path.

The Chair indicated that she was seeking to reclaim the six-foot (6 ft.) path. Before any improvements were made to the path, she wanted to see the vegetation cut back.

Councilmember Kinghorn agreed that the path should be maintained better, but he also thought the City should get an assessment on what improvements were needed, who would be responsible for getting them done and the approximate cost.

Chair Ferencz reiterated that she wants to see an actual schedule indicating when the path along Waterway would be cleared, but she did not want it to be added to the list of responsibilities for the Public Works Director.

Director Pitts stated that the width of the path varies from one (1) end to the other; places on the path are only a couple of feet wide. According to the Director, the path was cleared of overgrowth and de-brushed by a sub-contractor in January.

Councilmember Kinghorn suggested that this maintenance be added to the FY18 maintenance budget; Director Pitts estimated the cost to perform this task twice a year to be eighteen thousand dollars (\$18,000).

MOTION: Chair Ferencz moved to recommend to Ways and Means an increase of twenty thousand dollars (\$20,000) to the FY18 maintenance budget for the twice a year clearing of the multi-use path on Waterway Boulevard; Councilmember Kinghorn seconded.

Councilmember Ward suggested having a volunteer program like the "Adopt a Beach" program from several years ago rather than to continue to spend; in his opinion, the "Adopt a Beach" program was very successful.

As presented, the FY18 maintenance/landscaping budget is one hundred ninety-three thousand dollars (\$193,000) to cover the expanded scope of the contract.

On the subject of the landscaping RFP, Chair Ferencz stated that she saw an emphasis on color, and she voiced her preference for indigenous plants which might have color, like the ones at the Rec Center. For Front Beach, she suggested that the planters could add the color element.

VOTE: The motion PASSED on a vote of 2 to 1 with Councilmember Ward casting the dissenting vote.

B. Discussion of debris removal on Waterway Boulevard

The Chair said that she was speaking specifically to the debris at 30th Avenue where the new home is being built; she reported that she frequently sees piles of three to four feet (3-4 ft.).

Director Pitts speculated that the debris is from the golf course.

The Chair asked if the Public Works Department could be notified when large volumes of debris were placed there; she stated that the debris might be removed early in the day, but it was back when she drove to the meeting. In her opinion, the spot looks like a dumpsite.

Director Pitts explained that Public Works personnel canvas every subdivision every week; no particular day is assigned for debris removal because it is based on volume, traffic on I-526, and other variables.

Chair Ferencz commented that the debris is frequently at this location more than a week. She wants to see the debris removed because Waterway Boulevard is the pathway for that side of the island.

Administrator Tucker asked if the debris was being generated by the golf course and if there was another site where it could be placed that would be less visible to the public.

Councilmember Kinghorn asked if the City provided trash pickup for the IOP Water and Sewer Commission, and the Director and Administrator replied that the City provides all of their trash and debris removal. He then asked if anyone had ever tried to equate the value of the services that the City provides to them; he suggested that it was something that the City might want to do.

When asked by Councilmember Ward who Councilmember Kinghorn thought should do this, he answered that he would like the City Administrator to assess the total value of services because the City receives no taxes or fees for the services provided.

The Administrator said that she was not sure about how to put a number to those services other than to compare the City with another vendor.

C. Discussion of dumpsite permitting

The Chair stated that a resident had commented that the City's Public Works site looks like a dumpsite based on the items stored there for various periods of time and asked if the City was required to have a permit for a dumpsite.

Director Pitts replied that the only requirement is that the "white" goods be stored under a shelter; providing such a shelter is a part of the NPDES work that has started at the site.

Chair Ferencz asked if other communities provided "white" goods pickup for their residents or was it simply a courtesy that the City provides.

The Administrator stated that most local governments, who manage their own garbage and debris pick up, do pickup and store "white" goods for a period of time until taken to a landfill.

The Chair's next question was if there was a way to remove these goods from the island on a regular basis, and the Administrator said that to do so would require an increase in personnel. The Administrator explained that, in one (1) week, the Public Works Department might pick up a refrigerator and a washing machine and, in the next three (3) weeks, no "white" goods would be picked up. Yet, if operating on a fixed schedule, one (1) driver would have to go to the landfill for only those two (2) items, and, for that period of time, the Department would be short on manpower and a truck. Currently, Director Pitts works to maximize his personnel and equipment by holding "white" goods on the island until he has a full load.

When asked if the yard was ever empty, the Director replied that it was empty on Friday afternoons unless an item was picked up on Friday after the truck has left the island.

According to Director Pitts the question was would the residents prefer that it be left in the right-of-way or consolidated in the Public Works yard. The Administrator and Director Pitts have decided that it is better and safer if the "white" goods are not left in the right-of-way, but consolidated in one (1) location until they can be transported off the island.

The Administrator stated that Director Pitts is getting the job done with the fewest people possible.

Councilmember Kinghorn stated that the Director was doing a fine job.

D. Update on NPDES Project

Administrator Tucker reported to the Chair that the contractor is one (1) month behind, and the FY18 budget has been adjusted accordingly with a re-budget of funds from FY17. At this time, the City is waiting for revised submittals on the wash equipment, the building and the equipment that goes in the building and “white” goods storage. Nothing further will be accomplished until the submittals are approved; at this moment, nothing significant has happened at the site.

The Director assured the Committee that the NPDES work would not interfere with the routine workings of the Department as the season progresses.

E. Consideration of Hill Construction report related to Public Works

The Administrator stated that everything that could be accomplished by staff was being done, and the other immediate work has been included in the FY18 budget; the balance of the items identified have been incorporated into the Ten-Year Capital Plan.

Chair Ferencz recalled that three hundred twenty-two thousand dollars (\$322,000) was added to the FY18 budget for the issues that need to be addressed first. She acknowledged that, although the repairs/maintenance issues were placed on the Capital Plan, no money has been set aside to pay for them; she asked if Council should view these items the same way it does a fire truck or garbage truck or ongoing maintenance at Front Beach and the marina.

Assistant Frago confirmed that the Hill Report included issues to be done between now and five (5) years.

The Chair interpreted that to mean that, between now and five (5) years, the City must pay out one point six million dollars (\$1,600,000) in repairs and maintenance and will have no reserve to draw the money from; therefore, her recommendation to Ways and Means was going to be the establishment of a reserve fund for this purpose and to put money into it in this budget year. The challenge is to do this without blowing the budget; in her opinion, if the City were to put away half a million dollars (\$500,000) in FY18, then Council must find half a million dollars (\$500,000) in expenditures to eliminate from the FY18 budget.

Councilmember Kinghorn noted that he had suggested to Council that it set up a reserve for maintenance City-wide for all City-owned facilities, and he thought a percentage of the annual budget should go into that fund each year.

The Chair stated that she would be satisfied to establish a reserve based on the Hill Report and to decide later what the number should be going forward.

Councilmember Kinghorn suggested that the Administrator, Department Heads and the Treasurer review the Hill Report and “scrub it relative to ongoing efforts” and either to figure out the amount of money or the appropriate percentage of the total budget, providing Council with “something to deal with that is very concrete and very specific.”

MOTION: Councilmember Ward moved to recommend to Ways and Means the establishment of some calculation that enables Council to set up a reserve fund to cover maintenance for City assets over the next five (5) years; Councilmember Kinghorn seconded and the motion PASSED UNANIMOUSLY.

F. Update on drainage issues

1. Sand Dollar Court

Director Pitts reported that he and Director Kerr had met with Chris Wannamaker and Frank Pandullo from Charleston County Stormwater and 3 Sand Dollar was discussed; the County's professional staff has drafted a letter to Mr. Klemm explaining that their findings were the same as the City's – that the system is one hundred percent (100%) functional. At the site visit, they did note low areas between the palm trees at 3 Sand Dollar and between the properties at 1 and 3 Sand Dollar; they have recommended that a drop-inlet be installed in the barren dirt space between the palm trees, and Mr. Klemm has been notified of the plan although the timing of the work is unknown.

2. Discussion of requirements to pipe a ditch

Chair Ferencz stated that, on Lauden, the ditch that used to be open has now been piped at the expense of the residents.

Administrator Tucker explained that an open ditch is preferable because the evaporation process is eliminated with a closed ditch, and the approval to pipe an open ditch is a multi-level process.

When the Chair asked if the ditch on Hartnett could be piped, Director Kerr said that it could be. When a permit is sought requesting to pipe a ditch, the process goes through the Building and Planning Office; the requests most often come from new construction.

The Chair then asked if the residents of Hartnett could pipe the ditch at their expense to alleviate their flooding problem. She understood that they have been told that an open ditch is best, but because many small children live there, the property owners do not want an open ditch.

Director Kerr said that the residents of Hartnett could apply for a permit from SCDOT since the drainage system there is in the SCDOT right-of-way, and, when these requests are made, the City defers to SCDOT. SCDOT will require that it be examined and studied by their engineers for any potential issues, and they handle permitting.

The City and the County have different policies from SCDOT; traditionally, the City and the County do not authorize ditches to be piped because the volume of water is decreased and the maintenance is increased. Director Pitts added that the open ditches act as retention ponds when large storms occur.

The County has advised against opposing SCDOT because they are their own MS4, meaning that they are responsible to the EPA for the decisions they make regarding stormwater on their property.

The Chair voiced the understanding that the process would be strictly between the residents and SCDOT, and she asked if the residents on Hartnett have been given this information.

Director Pitts said that he had not done so.

Director Kerr indicated that one (1) particular resident of Hartnett has expressed the desire to get the water off of her property, but he does not recall a conversation with her about the water holding

in the roadway. He said that he could tell her and warn her that it would be an expensive project because if she were to install a drop inlet and pipe the ditch, it would have to go across the street and be piped down the road to tie-in to the ditch.

Administrator Tucker added that, if the ditch has become a wetland, much more stringent requirements would come into play and a permit would likely be denied.

The Chair confirmed that the City has not heard from the resident since the first complaint.

3. Update on Phase II Drainage

Assistant Fragoso stated that she has turned in the first quarterly report to the Rural Infrastructure Authority, and the project schedule as it exists now is that Civil Site Environmental is presently working on the bid package, the bid opening will be the end of May with a start date of late August or early September and a completion date of early February 2018. Based on the terms of the grant, the project must be complete by the end of May 2018.

6. New Business

Discussion of marina referendum timeline

Chair Ferencz referred to an article in *The Island Eye News* and stated that some residents have gotten the impression that the City is backing away from holding a referendum on the project. She stated that she asked what the process had been for the referendum on the purchase of the marina, and the Administrator sent her a copy of the advertisement from *The Post and Courier*. From her review, she determined that the process began with a resolution from City Council, and later put in a referendum for vote. She, therefore, asked if Council was at a point where it could have the resolution so that the referendum could be on the November ballot.

The Administrator said that she has not gotten any feedback that would indicate anyone is backing away from a referendum; she stated that she wants to be sure that, when Council takes an action and develops the question for the referendum, it is with the final numbers to which Council has agreed. She said that the City will likely borrow some amount of money to accomplish whatever it decides to do; therefore, Council needs to know what the total number is. She sensed that everyone thought the price of six point four million dollars (\$6,400,000) was entirely too much and the plans needed to be scaled back where possible; the Real Property Committee was quick to eliminate the bridge over the boat ramp. The Administrator stated that, in order to get to the referendum question and the resolution to be passed, Council must first decide what size the project is going to be. The question is whether the work should be done by the Real Property Committee and brought forward to Council or whether the work should be done with Council sitting around a table to whittle it down until a more reasonable number is reached. And then the question becomes whether to go out for a referendum on the marina project by phases or in total; Councilmember Ward was insistent that the referendum should be for the total project.

Councilmember Ward said that he has been privy to discussions where residents stated that they thought Council was stalling and, in his opinion, five (5) months was plenty of time to generate the referendum question. In his opinion, staff could take the language from the Recreation Center referendum and cut and paste to produce the question. When the Administrator asked what the number would be, Councilmember Ward suggested setting a timeline and a goal to have the decision made.

When the Administrator learned that the referendum question had to be submitted to the Board of Elections in August for inclusion on the November ballot, she understood the deadline for the question to be August; she also reminded the Committee that a referendum could be held at any time. Administrator Tucker thought that Council needed to commit to the November election one way or the other, and then, if November is to be the referendum date, Council must decide upon the size of the project.

Councilmember Ward noted that to hold the referendum in November would produce the biggest voter turnout.

On the other hand, Councilmember Kinghorn said that he has been asked "Why did we elect you?" A referendum was held to purchase the marina, and "you were elected to manage it." He has been told that a resident attended the Real Property and offered that opinion and that no one has attended any other meeting asking when a referendum would be held. He did agree that to hold the referendum with the November election would be more efficient and produce the best turnout.

Chair Ferencz has been listening to the audio recordings of the Real Property Committee meetings, and her understanding from the meeting was that ATM presents its professional opinion, and the Committee responds that it does not want to do it because a tenant at the marina does not want it. They are now looking at what the tenant likes that can be taken out or what does the tenant want to add. Her question is about the marina manager and the sub-leases he has with other marina businesses; she stated that forty-two thousand dollars (\$42,000) is included in the marina plan for a kayak business from which the City receives no revenue. She expressed the opinion that, if that business with a contractual agreement with the marina manager wants a new dock, he should be allowed to build it himself. She remarked that she has not been given the opportunity to voice that opinion because she has been discouraged from attending the Real Property Committee meetings. She welcomed the idea of a round table discussion because she also does not think that three (3) members of Council should be making the decisions without input from others. She added that costs for more electricity on the docks to accommodate more transient boaters and more concrete for the pad around the marina store to make it better for its patrons were not necessary for IOP residents and their marina. Councilmember Ferencz remarked that a method should exist for the City to be protected from creating an area for one (1) of the businesses. For her, the changes between the first conceptual drawing and what exists today are "principally to appease the marina manager." These are some of the reasons she would like to have a conversation with all of Council because she fears being presented with a plan that all do not agree with as a whole.

Councilmember Kinghorn commented that whatever the Real Property Committee decides on will be presented at both Ways and Means and Council meetings, giving the full Council ample opportunity to discuss the project.

For Councilmember Kinghorn, the system was working and Council has the information; now it is time to sit down and make the decisions. In his opinion, "the objective is to provide a quality service and an opportunity for the citizens to come and really spend time in a place on the island where they can interact and have a municipal activity."

Administrator Tucker stated that one (1) of her concerns about the referendum is that Council is going to need to use care in the language because, at this stage, she could not address the affordability of the project. She offered a scenario where Council agreed upon a four million dollar

(\$4,000,000) project and the referendum passed resoundingly, but, when staff looked at the ability to service the debt, they found the City could not support it, and the goal would be to do the project without a tax increase. Since the Administrator does not know the final number, she and the Treasurer cannot develop the scenarios to inform Council whether the project is one (1) with which the City can afford to proceed. If Council has not gotten to that stage by August, then something must be included in the language that “if it is affordable without a tax increase,” or “if it is affordable within the revenues anticipated.”

A second worry is that, if the project is affordable, the City will be asking residents a question in 2017 for which they would not see any activity until about 2019 since only the engineering for the project is included in the FY18 budget and the permitting processes are expected to take at least a year.

If the feeling is that the referendum would be resoundingly defeated, then it would not matter; there would be no need to do any of the aforementioned work.

Administrator Tucker said that she does not want to ask the residents' permission to do something that the City cannot actually do. When asked what would be needed to define the number, the Administrator said that would take eliminating things from the six point four million dollars (\$6,400,000) to make the redevelopment plan more affordable.

Chair Ferencz agreed with Councilmember Kinghorn that Council will make the final decisions related to the marina, but pointed out that the Real Property Committee will be presenting a dramatically different project from what Council has seen before that are based on decisions made by the Real Property Committee. She also pointed out that the necessary permitting will be costly; the City will be spending money to get to that number. At some point, Council must give the Real Property Committee a time frame when they must present a more reasonable number to Council.

Councilmember Kinghorn asked what would happen if the referendum were to be defeated by one (1) vote and the City scrapped the project; he questioned what would follow. He also asked Councilmember Ward what was his view of the marina in the future.

Councilmember Ward stated that this was one (1) reason to hold the referendum as soon as possible; if the people do not want it, the City will stop “throwing money down a rat hole.”

The next inquiry from Councilmember Kinghorn was what will the City do if the referendum fails? Chair Ferencz responded that the City will do whatever is necessary to make the marina safe; she continued that the City cannot ignore the property, but there will be no landscaping, no walkway all the way around, etc. The City would have to replace the underground fuel tanks, replace the docks, do the dredging, and that is all some people want.

Assistant Frago asked that the Committee members review the workshop minutes from the November 2016 Visioning meeting because many of the changes to the marina redevelopment plan came from recommendations Council members made at that meeting.

7. Miscellaneous Business

Administrator Tucker was pleased to announce that beginning Wednesday, May 24th Charleston County will begin the weekly pickup of recycling, and it will continue through the summer months.

The City will not be paying for the additional service; Charleston County will cover the cost through their accommodations taxes and will not reduce the amount of their ATAX that comes to the City. She also reported that the City has received a check from its stormwater fees that the County collected in the amount of four hundred seventy-one thousand five hundred dollars (\$471,500) to use toward the NPDES project at the Public Works site; as a safety cushion, the City left twenty percent (20%) of its stormwater fees with the County to cover incidental drainage problems that may come up.

Next Meeting Date: 11:00 a.m., Wednesday, May 3rd in the Conference Room

8. Adjournment

MOTION: Councilmember Ward moved to adjourn the meeting at 12:34 p.m.; Councilmember Kinghorn seconded and the motion PASSED UNANIMOUSLY.

Respectfully submitted:

Marie Copeland
City Clerk